

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION**

**Civil Action No.: 5:08-CV-00460-FL**

<u>CAROLINA POWER &amp; LIGHT COMPANY</u>	)
d/b/a PROGRESS ENERGY CAROLINAS,	)
INC.,	)
	)
Plaintiff,	)
	)
v.	)
	)
3M COMPANY, et al.,	)
	)
Defendants.	)

**Civil Action No.: 5:08-CV-00463-FL**

<u>CONSOLIDATION COAL COMPANY,</u>	)
	)
Plaintiff,	)
	)
v.	)
	)
3M COMPANY, et al.,	)
	)
Defendants.	)

**ENTRY OF DEFAULT AS TO THIRD-PARTY DEFENDANT DAVIS. JERRY INC.**

WHEREAS, it has been made to appear to the undersigned, upon declaration or otherwise, that Third-Party Defendant Davis. Jerry Inc. has failed to plead or otherwise defend against Third-Party Plaintiff PCS Phosphate Company, Inc.'s Third-Party Complaint;

AND IT APPEARING to the undersigned, that Third-Party Defendant Davis. Jerry Inc. is subject to default as provided by the Federal Rules of Civil Procedure;

THEREFORE, default is hereby entered against Third-Party Defendant Davis. Jerry Inc.  
pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

This the 46th day of January, 2012.



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Clerk  
United States District Court  
Eastern District of North Carolina